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was sent out
by AG's office -
(copied same to O: directory)*

M/049/021

February 18, 2004

Sidney Balthasar Unrau
Courtyard at Jamestown
3610 North University Avenue #375
Provo, Utah 846034

VIA FAX (801) 705-8480

Re: Reclamation or Cherry Hill Park Mine.

Dear Mr. Unrau:

It has been almost a month since I sent you a proposed agreement to resolve the reclamation deficiencies at the Cherry Hill Park Mine. At that time I was told there was great urgency to get an agreement so the stockpiled material could be sold. The plan set out in the agreement is one that would work for any person able to mine and sell the material, and willing to post a \$5000 bond.

Due to the total lack of response, I assume there is an impasse. Accordingly, DOGM will proceed to look to other solutions including filing suit against Mr. Powell. Wishful thinking and hopeful delay seems to be at the heart of the problems with this mining operation that have led to the lack of reclamation and adequate bonding. We will not withhold taking action any longer.

Sincerely,

Steven F. Alder
Assistant Attorney General

Wayne Neilson

jb
cc: Mary Ann Wright, OGM
Steve Alder, AAG
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